

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No. : 10/575,938 Confirmation No.:

Applicant : Thoene

Filed : April 13, 2006

TC/A.U. : 1654

Examiner : S. Gudibande

Customer No. : 00270

Title : METHODS AND COMPOSITIONS FOR TREATING
CANCER

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE

Sir:

This paper is in timely response to the Office Action dated March 10, 2008 and issued for restriction purposes. Please enter the following elections, amendments, and remarks.

Elections begin on page 2.

Amendments to the Claims begin on page 3.

Remarks/Arguments begin on page 7.

ELECTIONS

Restriction Requirement

In response to the outstanding restriction requirement, Applicant hereby elects the subject matter of Group I, i.e., subject matter drawn to compositions containing compounds of formula (a). Claims 1-4, 12, 13, 15, 28, 30, and 32-36 read on this election.

Election of Species

- (i) In response to the requirement to elect a single disclosed species of a compound of formula (a) with the different variables clearly defined, Applicants hereby elect cystine dimethyl ester (CDME), wherein m is 0 and R₁ is methyl. Claims 1-4, 12, 13, 15, 28, 30, and 32-36 read on this election.
- (ii) In response to the requirement to elect a single disclosed species of cancer, Applicant hereby elects breast cancer. Claims 1-4, 12, 13, 15, 28, 30, and 32-36 read on this election.
- (iii) In response to the requirement to the requirement to elect a single disclosed species of a cytotoxic compound, Applicant hereby elects radiation. Claims 1-4, 12, 15, 28, 30, and 32-36 read on this election.